

Mail completed form to:

PUBLIC UTILITIES COMMISSION  
500 EAST CAPITOL AVENUE  
PIERRE, SD 57501  
ATTN: SOUTH DAKOTA ONE CALL BOARD

UCCO-001  
RECEIVED

MAY 12 2006

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

## COMPLAINT

COMPLETE INFORMATION IS REQUIRED - ADDITIONAL PAGES MAY BE USED IF REQUIRED

### ALLEGATION OF PROBABLE VIOLATION(S) OF SOUTH DAKOTA ONE CALL LAWS

#### I. ACTION REQUESTED BY:

COMPLAINT FILED BY INDIVIDUAL \_\_\_ OR BUSINESS\* ☒ PERSON FILING COMPLAINT (Please print): Arnie Wenbourne  
COMPANY (If applicable) AT&T ADDRESS 3000 W. 10th ST SF, SD PHONE NUMBER 605-338-0258  
SIGNATURE OF COMPLAINANT: Arnie Wenbourne DATE: 5/10/2006 EMAIL ADDRESS: wenbourne@att.com  
\*If the complaint is filed on behalf of a Company, the person signing this form should have the proper authority to file the complaint.

#### II. ACTION REQUESTED AGAINST:

NAME OF EXCAVATOR/FACILITY OPERATOR: Runge Enterprises, Inc PHONE NUMBER: 605-334-4833  
ADDRESS: 3500 W. Howard Ave SF, SD  
WAS A LOCATE REQUESTED FROM SD ONE CALL? YES \_\_\_ NO ☒ LOCATE TICKET #: \_\_\_\_\_ START DATE ON TICKET: \_\_\_\_\_  
DID EXCAVATOR WAIT UNTIL THE START DATE/TIME ON THE TICKET BEFORE COMMENCING EXCAVATION? YES \_\_\_ NO ☒  
WERE BURIED FACILITIES EXPOSED BY HAND OR WITH NON-INVASIVE EQUIPMENT PRIOR TO EXCAVATION? YES \_\_\_ NO ☒

#### III. FACILITY INVOLVED (IF ANY)

TYPE OF FACILITY INVOLVED: Fiber Optic OPERATOR OF FACILITY (IF KNOWN): at&t  
OPERATOR ADDRESS: 3000 W. 10th ST SF, SD PHONE NUMBER: 605-338-0258  
DEPTH OF COVER: 4 ft PRESSURE: \_\_\_\_\_ VOLTAGE: \_\_\_\_\_ NUMBER OF CABLE PAIRS: \_\_\_\_\_

#### IV. MARKING

WERE FACILITIES MARKED? YES ☒ NO \_\_\_ WAS THE MARKING COMPLETE PRIOR TO THE START TIME ON THE TICKET? YES ☒ NO \_\_\_  
DID EXCAVATOR PRE-MARK WITH WHITE PAINT? YES \_\_\_ NO ☒  
WAS THE FACILITY MARKED ACCURATELY (WITHIN 18 INCHES)? YES ☒ NO \_\_\_  
DID EXCAVATOR USE REASONABLE CARE TO MAINTAIN LOCATE MARKS FOR LIFE OF PROJECT? YES ☒ NO ☒  
HAVE YOU DISCUSSED THE PREVIOUS STATEMENTS WITH THE OTHER PARTY? YES \_\_\_ NO ☒  
IS THERE AGREEMENT? YES \_\_\_ NO ☒ IF NO, PLEASE EXPLAIN: \_\_\_\_\_

#### V. DAMAGE (IF ANY)

FATALITIES: 0 INJURIES: 0 LENGTH OF HOSPITALIZATION: \_\_\_\_\_  
ESTIMATED PROPERTY DAMAGE (\$): \_\_\_\_\_ NUMBER OF CUSTOMERS AFFECTED: \_\_\_\_\_  
DAMAGED IN: PUBLIC \_\_\_ PRIVATE \_\_\_ (RIGHT-OF-WAY) PHOTOS OF THE DAMAGED FACILITY? YES \_\_\_ NO \_\_\_  
ADDITIONAL INFORMATION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## VI. PROBABLE VIOLATION

SPECIFIC STATUTE(S) OR RULE(S) THAT WAS VIOLATED: dig with out locate and ignore marker Poles

ADDRESS/LOCATION OF PROBABLE VIOLATION: 87th + Louise, Sioux Falls S.D.

DATE/TIME OF PROBABLE VIOLATION 5/10/2006 : 09:30 EDT

HAVE YOU DISCUSSED THIS PROBABLE VIOLATION WITH THE PARTY THE ACTION IS FILED AGAINST: YES ☒ NO ☐

IF YES, NAME OF THE PARTY WITH WHOM YOU DISCUSSED THE PROBABLE VIOLATION: Paul

DESCRIPTION OF PROBABLE VIOLATION: No One call ticket, have had work for new road construction going on for 1 year. We lowered cable in 3 areas for new streets. They decided today to remove a hill. We are approx 4 ft deep through this area. They were going 5-6 ft deep. This would have totally destroyed AT&T access into South Dakota. Sioux Falls, Watertown, Aberdeen, Pierre, Yankton etc, would have been isolated from AT&T network.

Before they were stopped they had us down to 30 inches and under of cover.

This is a private easement through what was farmland, now housing development.

## COMMITTEE/BOARD ACTION

FOR PROBABLE CAUSE COMMITTEE / BOARD USE ONLY

REMARKS: \_\_\_\_\_

### RECOMMENDATION

FOR ENFORCEMENT COMMITTEE USE ONLY

NO VIOLATION EXISTS

VIOLATION OF SOUTH DAKOTA STATUTE(S) OR RULES(S): \_\_\_\_\_

WARNING LETTER: \_\_\_\_\_ PROPOSED PENALTY (\$): \_\_\_\_\_

COMMENTS: \_\_\_\_\_

### DISPOSITION

FOR BOARD USE ONLY

NO VIOLATION EXISTS

VIOLATION OF SOUTH DAKOTA STATUTE(S) OR RULES(S): \_\_\_\_\_

WARNING LETTER: \_\_\_\_\_ PENALTY (\$): \_\_\_\_\_

OTHER: \_\_\_\_\_